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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLES 16 AND 17 OF THE COVENANT - NON-REPORTING STATES

Concluding observations of the Committee on Economic,
Social and Cultural Rights

SOLOMON ISLANDS

1. The Committee considered the state of implementation by Solomon Islands of the economic, social and cultural rights contained in the Covenant at its 9th meeting held on 30 April 1999 (twentieth session) and adopted, at its 24th meeting, held on 11 May 1999, the following concluding observations.

A. Introduction

2. At its seventh session, the Committee on Economic, Social and Cultural Rights decided to proceed to a consideration of the state of implementation of the International Covenant on Economic, Social and Cultural Rights in a number of States parties which, despite many requests to do so, had not fulfilled their reporting obligations under articles 16 and 17 of the Covenant.

3. The purpose of the reporting system established by the Covenant is for the States parties to report to the competent monitoring body, the Committee on Economic, Social and Cultural Rights, and through it to the Economic and Social Council, on the measures which have been adopted, the progress made, and the difficulties encountered in complying with the rights recognized in the Covenant. Non-performance by a State party of its reporting obligations, in addition to constituting a breach of the Covenant, creates a severe obstacle to the fulfilment of the Committee's functions. Nevertheless, the Committee has to perform its supervisory role in such a case and must do so on the basis of all reliable information available to it.

4. Hence, in situations where a Government has not supplied the Committee with any information as to its compliance with its obligations under the Covenant, the Committee has to base its observations on a variety of materials stemming from both intergovernmental and non-governmental sources. While the former provide mainly statistical information and important economic and social indicators, the information gathered from the relevant academic literature, from non-governmental organizations and from the press tends, by its very nature, to be more critical of the political, economic and social conditions in the countries concerned. Under normal circumstances, the constructive dialogue between a reporting State party and the Committee will provide an opportunity for the Government to voice its own views, and to seek to refute any criticism and convince the Committee of the conformity of its policy with the requirements of the Covenant. Consequently, if a State party does not submit a report and does not appear before the Committee, it deprives itself of the possibility of setting the record straight.

5. While fully understanding the difficulties Solomon Islands encounters in complying with its reporting obligations under the Covenant, the Committee recalls that Solomon Islands has been a party to the International Covenant on Economic, Social and Cultural Rights since 17 March 1982 and, since then, has not submitted its initial report. The Committee therefore invites the State party to make all possible efforts to fulfil its reporting obligations in order to establish a constructive dialogue with the Committee.

6. Bearing in mind the exceptionally difficult general situation of Solomon Islands, the Committee deems it necessary to confine its concluding observations to an assessment of the deliberations of the Committee at its current session with respect to the current status of economic, social and cultural rights in Solomon Islands. The Committee further considers that, given the limited sources of information available to the Committee, as well as the need for technical assistance to be offered to the State party to enable it to comply with its reporting obligations, the Committee's concluding observations can only be very preliminary in nature.

B. Factors and difficulties impeding the implementation of the Covenant

7. The Committee stresses that, in evaluating the implementation by the Government of Solomon Islands of the International Covenant on Economic, Social and Cultural Rights, due attention has to be paid to the political, economic and social conditions prevailing in the country at the present time. In particular, the Committee takes note of the fact that Solomon Islands has experienced several severe economic and financial crises in the 1990s, deeply affecting the scope of its governmental choices of action.

8. The Committee notes that Solomon Islands is one of the least developed countries in the Western Pacific region, a region which, in per capita terms, ranks among the recipients of the highest amount of aid in the world. Poverty is widespread, especially in the rural areas where about 80 per cent of the population live. According to a 1997 joint report of the United Nations Development Programme and the United Nations Population Fund, there is a large discrepancy as regards income distribution between the urban and rural areas.

The great majority of the people survive on less than US$ 300 annually. Solomon Islands ranked 123rd out of 174 countries in the 1998 UNDP human development index.

9. The Committee takes into account the severely detrimental effects of the Asian financial crisis on the economy of Solomon Islands, which is largely based on the export of timber, copra, palm oil and cocoa. The economy thus is extremely sensitive to changes in world demand for such products. The price collapse in the market for round logs which resulted from the financial crisis in Japan, the Republic of Korea and the Philippines, the major importing countries of Solomon Islands logs, not only brought logging almost to a standstill in 1997, but also led to a serious decline in government revenue, up to 40 per cent of which accrues from forestry. The revenues from its fisheries (tuna), the second main natural resource of Solomon Islands, have also dwindled as a result of the Asian economic crisis.

10. The Committee takes note of the fact that the major share of the country's natural resources is exploited by foreign companies which pay low taxes, if any, to the Government and, by taking most of the profits abroad, leave only few benefits to Solomon Islands. Moreover, the range of macroeconomic measures available to the Government is considerably restrained by the State party's debt-servicing obligations vis-à-vis creditor countries, as well as by the stringent loan conditions imposed by the Asian Development Bank, the International Monetary Fund and the World Bank.

C. Positive aspects

11. The Committee welcomes the laudable efforts of the newly elected Government to establish the foundations of sustainable economic growth. In particular, the Committee encourages the Government to put its plans to review the forestry sector in practice by drawing on the expertise of external specialists, and to adopt measures aiming at the monitoring of that sector.

12. The Committee notes that the Constitution, in section 13, recognizes the right of workers to form or belong to trade unions and that the domestic courts have confirmed these rights. While it is true that only 10 to 15 per cent of the population are employed in the formal sector, the Committee observes that approximately 60 to 70 per cent of wage earners are organized in unions.

13. The Committee welcomes the fact that the Constitution of Solomon Islands prohibits forced labour, including forced and bonded labour by children, and that this prohibition seems to be observed. The Committee notes that laws have been enacted to protect children under the age of 12 from heavy work, to bar children under the age of 15 from work in industry or on ships, and to prohibit the employment of children under the age of 18 for work underground or in mines.

14. The Committee notes with appreciation that the Government of Solomon Islands considers health an important priority, which is reflected in the high percentage of the national budget that has been allocated to health. Basic health services are free and the Government has taken significant steps to address health problems of the population in cooperation with foreign

donors, as well as specialized agencies such as the World Health Organization (WHO). Despite the still very high incidence of malaria (a total of more than 120,000 cases in 1993, according to a WHO estimate) specifically affecting agricultural workers, improvements have been made in combating diseases such as diarrhoea, acute respiratory diseases and malaria. The Committee acknowledges that the State party's immunization programme has resulted in a low incidence of diseases preventable by immunization, such as measles, diphtheria, pertussis and tetanus. The improving health-care system has contributed to a significant increase in life expectancy, which, according to some estimates, exceeds 70 years.

15. The Committee takes note of the fact that the unique kastom and wantok culture of the population has to date been largely kept intact. The preservation of the traditional extended family system, which is based on a strong sense of social responsibility, has absorbed a considerable part of the social repercussions caused by the recent economic crisis. The Committee also welcomes the establishment of the National Art Gallery and Cultural Centre in 1995, as well as the initiative taken by the Government of Solomon Islands, together with those of the other five Melanesian States, to organize Melanesian arts and cultural festivals on a regular basis.

D. Principal subjects of concern

16. The Committee notes with concern that, despite a constitutional non-discrimination clause and the recent adoption of a national women's policy, women remain subject to patriarchy. Although women's place and role are respected within Solomon Islands society, a fact mirrored by the tradition of matrilineal land descent, their status is nevertheless inferior to that of men. As a consequence, women have limited access to the political and economic life of the country. As indicated in the UNDP Human Development Report 1998, women comprise only 3 per cent of administrators and managers and 27 per cent of professional and technical employees. Furthermore, women do not hold any government positions at the ministerial or sub-ministerial level; merely one of the 47 members of Parliament is female.

17. The Committee expresses its concern about the rise in unemployment, which has played a major role in stirring up civil strife in the country.

18. Whereas the Committee is fully aware that Solomon Islands is severely affected by financial constraints caused by the current economic crisis, it nevertheless recalls that the recent downsizing of the public sector, which accounts for almost one third of wage employment, has had significant social repercussions. The Committee further notes that access to employment in the formal sector is particularly limited for disabled persons.

19. The Committee notes with concern that the problem of domestic violence is prevalent in Solomon Islands society and is not always addressed properly by the competent authorities.

20. The Committee, while acknowledging the State party's need to raise financial resources to subsidize its economic reform and development programme, expresses its concern about the Government's plans to privatize communal land with a view to making it accessible for commercial use and urban

development. The Committee recalls that approximately 90 per cent of the land in Solomon Islands is held under customary land tenure, meaning that the land belongs to the community as such rather than to individuals. The Committee would like to draw the Government's attention to the fact that the envisaged privatization of land under customary tenure may undermine the foundations of Solomon Islands society and could lead to the dispossession of the majority of people, thereby depriving them of their basic source of income. With regard to the Government's plans to privatize housing completely, the Committee is concerned that the number of homeless people in the urban areas will increase considerably.

21. The Committee notes that the State party does not give due consideration to the threats to the natural environment of Solomon Islands, caused by the practices of deforestation and overfishing, affecting the maintenance of an adequate standard of living, as guaranteed by article 11 of the Covenant.

22. The Committee notes that infant mortality remains a major cause of concern, in spite of the commendable health policies of the Government of Solomon Islands which have drastically decreased the mortality rate of children under the age of 5. According to a 1996 WHO publication, the infant mortality rate is estimated at 26.8 deaths per 1,000 live births, while, according to a 1997 UNDP and UNFPA joint report, the maternal mortality rate is as high as 550 deaths per 100,000 live births. The Committee is concerned about the low percentage of the population with access to adequate sanitation (only 9 per cent of the rural population) and to safe drinking water available in the home or within reasonable access (63 per cent of the entire population), as indicated in a 1996 WHO publication. The Committee recalls that the lack of adequate sanitation facilities directly adds to the severe malaria problem affecting more than one third of the population.

23. While noting that the lack of financial resources due to the prevailing economic crisis in Solomon Islands leaves little scope to the State party for providing adequate educational services, the Committee nevertheless is concerned about the absence of compulsory primary education in Solomon Islands, with merely 60 per cent of school age children having access to primary education. The Committee would consequently like to draw the attention of the Government to its obligations under articles 13, paragraph 2 (a) and 14 of the Covenant, which stipulate that primary education shall be compulsory and free of charge, and to its General Comment No. 11 "Plans of action for primary education (article 14 of the International Covenant on Economic, Social and Cultural Rights)". In particular, the Committee expresses its concern about the low literacy rate among adults, and especially among women. In the UNDP Human Development Report 1998, adult literacy is estimated to be as low as 23 per cent, which again is, of course, to a high degree attributable to the lack of financial resources for education.

E. Suggestions and recommendations

24. The Committee reiterates its request that the Government of Solomon Islands actively participate in a constructive dialogue with the Committee on how the obligations arising from the International Covenant on Economic, Social and Cultural Rights can be fulfilled in a more adequate

manner. It calls the Government's attention the fact that the Covenant creates a legal obligation for all States parties to submit their initial and periodic reports and that Solomon Islands has been in breach of this obligation for many years.

25. The Committee recommends that the Government of Solomon Islands avail itself of the advisory services of the Office of the United Nations High Commissioner for Human Rights, so that it may submit, as soon as possible, a comprehensive report on the implementation of the Covenant in conformity with the Committee's revised guidelines and with particular emphasis on the issues raised and concerns expressed in the present concluding observations. The Committee also encourages the Office of the High Commissioner for Human Rights, through its programme of advisory services and technical cooperation, to make expert assistance available to the Government for the purpose of formulating policies on economic, social and cultural rights and developing the implementation of coherent and comprehensive plans of action for the promotion and protection of human rights, as well as for developing adequate means of evaluating and monitoring their realization.

26. The Committee recommends that the Government of Solomon Islands undertake measures to prevent the excessive exploitation of the country's forestry and fishing resources.

27. Furthermore, the Committee suggests that the Government of Solomon Islands convene a national summit on the implementation of the International Covenant on Economic, Social and Cultural Rights, with the participation of all relevant national and international entities, such as representatives of central and local government, trade unions, local NGOs, specialized agencies and donor countries.

28. In accordance with articles 2, 1 and 23 of the International Covenant on Economic, Social and Cultural Rights, the specialized agencies are invited to supply the Committee with supplementary information and comments relevant to the status and enjoyment of economic, social and cultural rights in Solomon Islands, thereby assisting the Committee and the State party to identify appropriate measures designed to implement the Covenant in Solomon Islands. The Committee invites the State party to participate in a dialogue to be held during the Committee's twenty-first session together with representatives of the relevant specialized agencies, such as the World Bank, the International Monetary Fund, FAO, WHO, ILO, UNDP, UNICEF and UNESCO. The Committee expresses its belief that only by means of a constructive dialogue between the State party, the above institutions and the Committee can an adequate and realistic appraisal of feasible development and human rights strategies be achieved for the benefit of all citizens of Solomon Islands.

29. The Committee wishes to emphasize that the suggestions and recommendations set out in the preceding paragraphs depend for their success upon the State party's renewed commitment to fulfilling its reporting and other international legal obligations under the Covenant.